

REMARKS

Entry of this amendment and favorable reconsideration of this application are respectfully requested.

Claims 1, 2 and 4 are pending in this application. Claims 3 and 6 through 19 have been cancelled.

Applicants wish to thank the Examiner for the courteous telephone interview granted on March 29, 2006, in which the above amended claim was discussed and determined to be clear of any prior art of record under 35 U.S.C §102. In addition, the Examiner reserved time to consider the combination of Roshody and Braginsky.

Applicants respectfully submit that Roshody and Braginsky, alone or in combination, fail to teach or suggest the claimed apparatus and that there is no reason, motivation or suggestion in either Roshody or Braginsky to combine the two pieces of art.

More specifically, Roshody fails to teach or suggest an apparatus that contains a pledget having a front and rear surface and a first and second opening extending through the pledget, a suture which passes through the first and second openings of the pledget, and a block containing a first and a second slit configured to substantially align with the first and second openings on the pledget, wherein the first and the second slits are configured and adapted to engage a first and a second end portion of the suture to maintain the suture in a substantially perpendicular orientation relative to the front surface of the pledget. Rather, Roshody discloses a needle park which positions the pledget in a valley of an upper serrated edge of the needle park thereby maintaining the first and second ends of the suture at an angle that is non-perpendicular relative to the front surface of the pledget. See column 3, lines 37-40

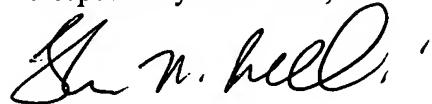
Also, figures 1 and 9 in Roshody (the only figures which include a pledget) show the front surface of the pledgets lying in a plane parallel to subpanel 22, which results in lying in a plane parallel to the sutures. In addition, Roshody shows the first and the second ends of the suture exiting the pledget via the first and second holes lay in the same plane as and are parallel to the pledget and are sandwiched between the pledget and subpanel 22 before entering the slits of the needle park. Therefore, the first and second openings of the pledget do not face the upper serrated edge of the needle park, but rather face and abut subpanel 22. Thus, Roshody fails to teach or suggest a block having a first and a second slit that are configured to substantially align with the first and second openings in the front surface of the pledget, wherein the first and the second slits are configured and adapted to engage a first and a second end portion of the suture to maintain the suture in a substantially perpendicular orientation relative to the front surface of the pledget.

Braginsky fails to cure the deficiencies of Roshody. In particular, for example, Braginsky fails to teach or suggest an apparatus that contains a pledget having a front and rear surface and a first and second opening extending through the pledget, a suture which passes through the first and second openings of the pledget, and a block containing a first and a second slit configured to substantially align with the first and second openings on the pledget, wherein the first and the second slits are configured and adapted to engage a first and a second end portion of the suture to maintain the suture in a substantially perpendicular orientation relative to the front surface of the pledget. Rather, Braginsky, as seen in Figs. 3A and 3B, discloses the use of only one slit when describing the positioning of the suture relative to the pledget. As a result, at least one of the first and second ends of the suture must bend or turn after exiting the pledget before entering the single slit and therefore the first and second ends of the suture are not maintained in a

substantially perpendicular orientation relative to the front surface of the pledge as taught by Braginsky.

In view of the foregoing, this application is believed to be in condition for allowance. Such early and favorable action is earnestly solicited.

Respectfully submitted,



Thomas M. Rosselli
Reg. No. 53,532
Attorney for Applicant

Carter, DeLuca, Farrell & Schmidt, LLP
445 Broad Hollow Road, Suite 225
Melville, New York 11747
Tel.: (631) 501-5700
Fax: (631) 501-3526